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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/780,826	02/09/2001	Jerzy Perkitny	MAF 2 0063	8431
7590	10/12/2004			EXAMINER SHAPIRO, JEFFERY A
FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP Suite 700 1100 Superior Ave. Cleveland, OH 44114-2518			ART UNIT 3653	PAPER NUMBER
DATE MAILED: 10/12/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/780,826	PERKITNY, JERZY	
	Examiner	Art Unit	
	Jeffrey A. Shapiro	3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 10 June 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-9, 14-26 and 34-55 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-9, 14-26 and 34-55 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 3/8/04.

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear in lines 10 and 11 what is meant by the phrase "wherein a trailing edge of the separating wheel at least one coin receiving aperture..."

3. Claim 5 recites the limitation "wheel housing toroidal channel" in lines 1 and 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-9, 14-26 and 34-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donnellan (US 1,749,421) in view of Kinoshita (US 4,059,122) and further in view of Tsuchida (US 6,193,598 B1).

Donnellan discloses a coin hopper (26), a coin slide (6) positioned below said coin hopper, a coin separating and sorting assembly (20 or 22) located between said coin hopper and coin slide, said coin separating and sorting assembly having a

separating wheel (20 or 22) having at least one coin aperture (34, 35) or (27, 28), a wheel housing (6 and 24), a motor (11) with shaft (10) and gears (13, 16, 17) for driving said separating wheel, a trailing edge with an angled surface (L)(see p.2, lines 50-55,

Donnellan does not expressly disclose, but Kinoshita discloses a first toroidal flange (112) extending away from the face of said separating wheel (106).

Donnellan does not expressly disclose, but Tsuchida discloses a second toroidal flange (32) with gear teeth (33), said flange extending away from said face of said separating wheel and in the opposite direction from said first toroidal flange.

Donnellan, Kinoshita and Tsuchida are analogous art because they all concern coin handling.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have used the first toroidal flange of Kinoshita on the separating wheel of Donnellan.

The suggestion/motivation would have been to provide more rigidity to the wheel of Donnellan. See Kinoshita, col. 6, lines 4-12,

It further would have been obvious to have used a second toroidal flange as described by Tsuchida, on the separating wheel of Donnellan.

The suggestion/motivation would have been to drive the wheel assembly of Donnelan.

Note also that the driving arrangement of Tsuchida can be considered an art known equivalent of Applicant's driving arrangement. Further, note that Applicant's

specification provides no particular reason for using the second geared toroidal flange over other art-known equivalent driving methods.

Therefore, it would have been obvious to combine Donnellan, Kinoshita and Tsuchida in order to obtain the invention as described in Claims 1-9, 14-26 and 34-55.

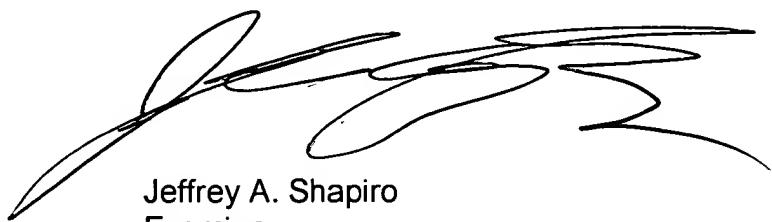
Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Haines '118, Stockli '542, Tamaki '070, '126, '794 and '916, Nguyen '954, Dabrowski '919, Abe '094, Hess '559, Bock '456, Patroni '312, Bayha '410, Donnellan '014 and 235 and JP03088093 A are all cited as examples of coin handling devices with separating wheels.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (703)308-3423. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.

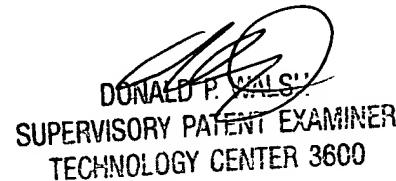
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (703)306-4173. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jeffrey A. Shapiro
Examiner
Art Unit 3653

October 3, 2004



DONALD P. WALSH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600